



FOR OFFICE USE ONLY
P&Z CASE NO.: 03-297
DATE SUBMITTED: 11-18-03

4:30 P.
JL

ABANDONMENT OF PUBLIC ROW-OF-WAY/EASEMENT APPLICATION

MINIMUM SUBMITTAL REQUIREMENTS

- ☒ \$300.00 Abandonment of Public Right-of-Way (ROW)/Easement application fee.
- ☒ A completed copy of the attached Abandonment of Public ROW/Easement application.
- ☒ All exhibits processed (except for Exhibit No. 4, which will be processed by staff).

ADDRESS 1000 University Drive East

LEGAL DESCRIPTION Lot 2, Block 1, Henton Subdivision, Vol. 2017, Pg. 239

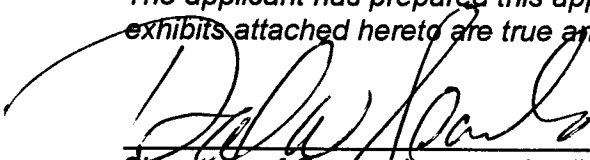
APPLICANT (Primary Contact for the Project):

Name Kling Engineering E-Mail stewart@klingeng.com
Street Address 4101 Texas Ave. Suite A
City Bryan State TX Zip Code 77802
Phone Number 979-846-6212 Fax Number 979-846-8252

PROPERTY OWNER'S INFORMATION (if different from above):

Name David Scarmardo for Sahara Realty Group, Ltd. E-Mail david@scarmardofoods.com
Street Address 1289 N. Harvey Mitchell Parkway
City Bryan State TX Zip Code 77803
Phone Number 979-779-7209 Fax Number 979-822-1763

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true and correct.


Signature of Owner, Agent or Applicant

11/18/03
Date

**APPLICATION FOR
THE ABANDONMENT OF A
PUBLIC RIGHT-OF-WAY/EASEMENT**

Date: October 16, 2003

Location of Right-of-Way/Easement to be Abandoned: Northeast 10' of the 20' Public
Utility Easement adjoining the southwest line of Lot 2, Block 1, Henton Subd.

Property Owner's Name & Address: Sahara Realty Group, Ltd.

Property Owner's Phone Number: 979-779-7209

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF COLLEGE STATION:

The undersigned hereby makes application for the abandonment of that portion of the above right-of-way particularly described in Exhibit No. 1, attached. In support of this application, the undersigned represents and warrants the following:

1. The undersigned will hold the City of College Station harmless, and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such abandonment.
2. Attached, marked Exhibit No. 1, are two sealed metes and bounds descriptions (dividing the area in half) of the area sought to be abandoned, prepared by a Registered Public Surveyor.
3. Attached, marked Exhibit No. 2, are two copies of a plat or detailed sketch of that portion of the public right-of-way/easement sought to be abandoned and the surrounding area to the nearest streets in all directions, showing the abutting lots and block, and the subdivision in which the above described right-of-way/easement is situated, together with the record owners of such lots.
4. Attached, marked Exhibit No. 3, is the consent of all public utilities to the abandonment.
5. Attached, marked Exhibit No. 4, is the consent of the City of College Station staff to the abandonment.
6. Attached, marked Exhibit No. 5, is the consent of all the abutting property owners, except the following: (if none, so state)

7. Such public right-of-way/easement should be abandoned because:

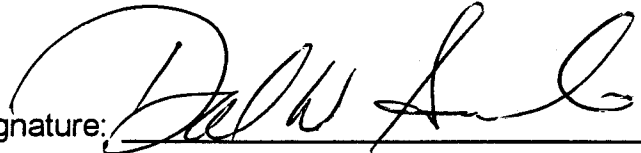
no utilities are within the easmt
and none are planned to be in
the easmt.

8. Such public right-of-way/easement has been and is being used as follows:

the city of College Station and none of
the franchise utility's ~~have~~ are
planning on using this easmt.

I swear that all of the information contained in this application is true and correct to the best of my knowledge and belief.

Applicant's Signature:



Applicant's Name:

David Scarmardo

Applicant's Address:

1289 N. Harvey Mitchell Pkwy
Bryan, TX 77803

Applicant's Phone Number:

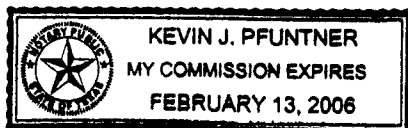
979-779-7209

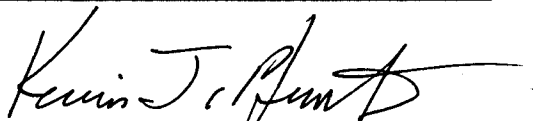
STATE OF TEXAS)

COUNTY OF BRAZOS)

ACKNOWLEDGMENT

Subscribed and sworn to before me, a Notary Public, this 18th day of NOVEMBER, 2003, by KEVIN J. PFUNTNER.




Notary Public in and for
the State of Texas

Application for Abandonment of
a Public Right-of-Way/Easement

Located: Lot 2, Blk 1 - Henton Subdivision

EXHIBIT NO. 1

Attached are two sealed copies of the metes and bounds description (dividing the area in half) of the public right-of-way/easement situated in Lot 2, Blk 1 Henton Subd. Addition/Subdivision to the City of College Station, Brazos County, Texas, sought to be abandoned.

Abandonment of 20' Public Utility Easement (PUE)
on

Lot 2, Block 1 - Henton Subdivision

Vol. 2017, Pg. 239

Richard Carter Survey, A-8

College Station, Brazos County, Texas

Field notes of a 10' wide strip or parcel of land, lying and being situated in the Richard Carter Survey, Abstract No. 8, College Station, Brazos County, Texas, and adjoining the southwest line of Lot 2, Block 1 - Henton Subdivision according to the plat recorded in Volume 2017, Page 239, of the Official Records of Brazos County, Texas, (the 10' strip being abandoned is the northeast 10' of the 20' Public Utility Easement), and being more particularly described as follows:

COMMENCING at the $\frac{1}{2}$ " iron rod found marking the common corner between the beforementioned Lot 2, Block 1 - Henton Subdivision and Lots 7 - 12 - Replat of Lot 3 - Henton Subdivision, according to the plat recorded in Volume 4089, Page 109, of the Official Records of Brazos County, Texas, said $\frac{1}{2}$ " iron rod also lies in the northeast line of the E. L. Putz - 14.8 acre tract described in Volume 287, Page 821, of the Deed Records of Brazos County, Texas;

THENCE N 44° 50' 37" E along the common line between the beforementioned Lot 2, Block 1 and Lots 7 - 12, for a distance of 10.00 feet to a 60d nail set at the **PLACE OF BEGINNING** of this description;

THENCE N 45° 28' 03" W parallel with and 10' northeast of the common line between the beforementioned Lot 2, Block 1 and the Putz - 14.8 acre tract, for a distance of 1002.97 feet to a 60d nail set in the south right-of-way line of Farm to Market Road No. 60 (also known as University Drive), a $\frac{5}{8}$ " iron rod found at crosstie fence corner marking the common corner between the said Lot 2, Block 1 and the Putz - 14.8 acre tract bears S 63° 21' 00" W - 10.56 feet;

THENCE N 63° 21' 00" E along the south right-of-way line of F.M. No. 60 for a distance of 10.56 feet to a 60d nail set at the north corner of the 20' public utility easement as platted on Lot 2, Block 1;

THENCE S 45° 28' 03" E along the northeast line of the platted 20' public utility easement for a distance of 999.62 feet to a 60d nail set in the common line between the beforementioned Lot 2, Block 1 and Lots 7 - 12;

THENCE S 44° 50' 37" W along the common line between the beforementioned Lot 2, Block 1 and Lots 7 - 12, for a distance of 10.00 feet to the **PLACE OF BEGINNING**, containing 10,012 square feet of land, more or less.



Surveyed October 2003

By:

A handwritten signature in black ink, appearing to read "S. M. Kling".

S. M. Kling
R.P.L.S. No. 2003

Prepared 10/16/03
kes03-05a:henton20'pue.wpd

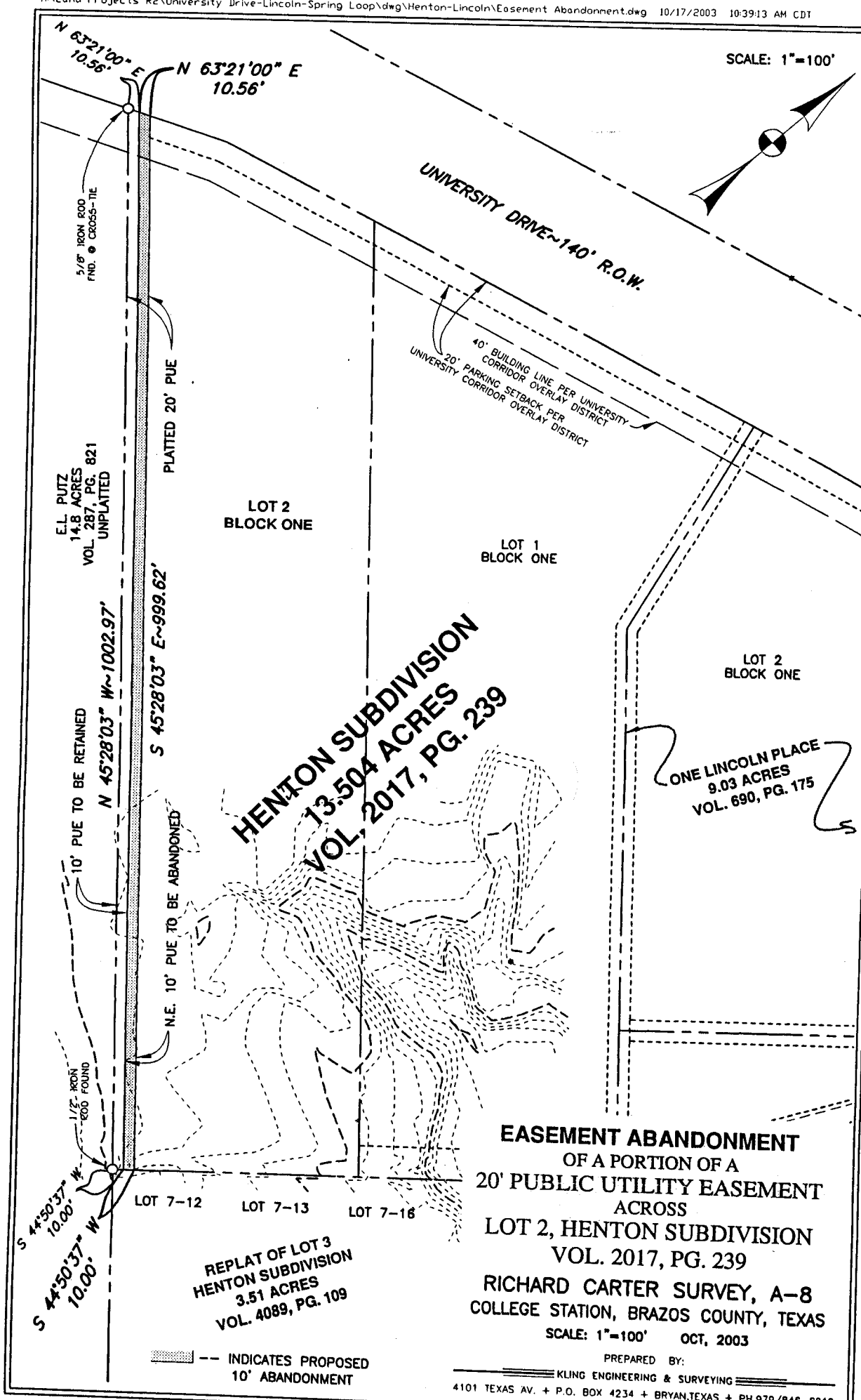
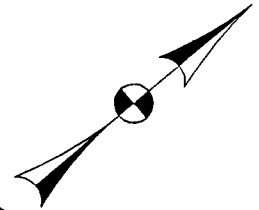
Application for Abandonment of
a Public Right-of-Way/Easement

Located: Lot 2, BIKI, Henton Subdivision

EXHIBIT NO. 2

Attached are two copies of a plat or detailed sketch of the public right-of-way/easement sought to be abandoned in the above-mentioned application, showing the surrounding area to the nearest streets in all directions, abutting lots, the block or blocks in which the portion of the public right-of-way/easement sought to be vacated is situated, and the addition or subdivision in which the portion of the public right-of-way/easement sought to be abandoned is situated. Also, the names of record owners of the abutting lots are shown.

SCALE: 1"=100'



EASEMENT ABANDONMENT
OF A PORTION OF A
20' PUBLIC UTILITY EASEMENT
ACROSS
LOT 2, HENTON SUBDIVISION
VOL. 2017, PG. 239
RICHARD CARTER SURVEY, A-8
COLLEGE STATION, BRAZOS COUNTY, TEXAS
SCALE: 1"=100' OCT, 2003

-- INDICATES PROPOSED
10' ABANDONMENT

PREPARED BY:
KLING ENGINEERING & SURVEYING
4101 TEXAS AV. + P.O. BOX 4234 + BRYAN, TEXAS + PH. 979/846-6212

XREF:

KLING ENGINEERING & SURVEYING
BRYAN, TEXAS

Application for Abandonment of
a Public Right-of-Way/Easement

Located: Lot 2, BIK 1 - Henton Subdivision

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of College Station, that portion of the public right-of-way/utility easement sought to be abandoned in the Application for Abandonment above referred to, do hereby consent to the abandonment of the described portion thereof.

TXU GAS COMPANY

BY: [Signature]
Title Engineer

VERIZON TELEPHONE COMPANY

BY: [Signature]
Title Super Network Engineering

COX COMMUNICATIONS

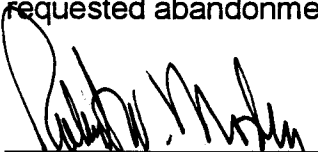
BY: [Signature]
Title Plant Manager

Application for Abandonment of
a Public Right-of-Way/Easement


Located: Lot 2, BIKI - Henton Subdivision

EXHIBIT NO. 4


The undersigned, City staff of the City of College Station, certify that they have carefully considered the Application for Abandonment of the public right-of-way/easement referred to above from the standpoint of City of College Station ordinances and with respect to present and future needs of the City of College Station and see no objection to the requested abandonment from the City's standpoint.



Engineer
City of College Station



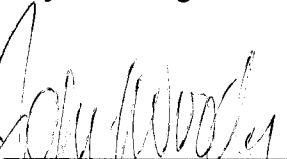
Building Official
City of College Station

 12/8/03



Zoning Official
City of College Station

 12/08/03

Fire Marshal
City of College Station

 12/20/03

Director of Public Utilities
City of College Station

 11-26-03
Elect.
 12-2-03 w/ww.

Application for Abandonment of
a Public Right-of-Way/Easement

Located: Lot 2, BIKI - Henton Subdivision

EXHIBIT NO. 5

The undersigned, owners of property abutting upon that portion of the public right-of-way/easement named and described in the Application for Abandonment of a Public Right-of-Way/Easement referred to above, do hereby consent to such abandonment.

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____
